



6-6-3

#47 RCE Request RCE 3/427  
S. Zimmermann

REQUEST  
FOR

CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
Provides for continued examination of a utility or plant  
Application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/579,050  
Filing Date: May 26, 2000  
First Named Inventor: Walters, Jr.  
Group Art Unit: 3727  
Examiner Name: N. Elishway  
Docket Number: 359.6559USU

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. XXXXX Previously submitted  
i. XXXXX Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on **March 5, 2003** (any unentered amendment(s) referred to above will be entered).  
ii. \_\_\_\_\_ Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on \_\_\_\_\_  
iii. \_\_\_\_\_ Other \_\_\_\_\_  
b. XXXXX Enclosed  
i. XXXXX Amendment/Reply  
ii. \_\_\_\_\_ Affidavit(s)/Declaration(s)  
iii. \_\_\_\_\_ Information Disclosure Statement (IDS)  
iv. \_\_\_\_\_ Other \_\_\_\_\_

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2. Miscellaneous

- a. \_\_\_\_\_ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)  
b. XXXXX Other Request for Extension of Time

3. Fees The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. \_\_\_\_\_ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. **01-0467**.  
i. \_\_\_\_\_ RCE fee required under 37 C.F.R. § 1.17(e)  
ii. \_\_\_\_\_ Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)  
iii. \_\_\_\_\_ Request for Extension of Time  
b. XXXXX Check in the amount of **\$840.00** for the RCE fee (\$375.00) and three months extension of time fee (\$465.00) is enclosed.  
c. \_\_\_\_\_ Payment by credit card (Form PTO-2038 enclosed)  
d. XXXXX The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. **01-0467**.

June 4, 2003

Date of Signature

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EV357651948US**, service under 37 CFR § 1.10 and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 4, 2003.

Jeffrey J. Scepanski

(Typed name of person mailing paper)

(Signature of person mailing paper)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*18/ Reg for Recor  
4/24/03  
[Signature]*

Applicant: Walters Jr.  
Serial No.: 09/579,050  
For: EASY OPEN CONTAINER CLOSURE  
Filed: May 26, 2000  
Examiner: N. Eloshway  
Group Art Unit: 3727

Attorney Docket No.: 359.6559USU

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION**

Dear Sir:

In response to the Advisory Action mailed on April 14, 2003, and in conjunction with the RCE file herewith, Applicant respectfully requests reconsideration of the above-referenced application as set forth below.

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